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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,288	02/27/2004	Michael J. Sullivan	B04-07	8190
40990	7590	11/22/2005		
ACUSHNET COMPANY 333 BRIDGE STREET P. O. BOX 965 FAIRHAVEN, MA 02719			EXAMINER HUNTER, ALVIN A	
			ART UNIT 3711	PAPER NUMBER

DATE MAILED: 11/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/789,288

Applicant(s)

SULLIVAN, MICHAEL J.

Examiner

Alvin A. Hunter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5 and 7-11 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

It should be noted that there is no definition set forth by the applicant for the term "lobe." Therefore, the term "lobe" is to be given its ordinary meaning, which is, according to Merriam-Webster Dictionary, a curved or rounded projection or division. It is submitted that based on the definition of "lobe", Figure 7d sets forth the claimed invention.

### ***Terminal Disclaimer***

The terminal disclaimer filed on 6/17/05 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patents 6569038 and 6709349 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a) because they fail to show

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the central hub, as set forth by claim 7 and 9-11, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure

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is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Allowable Subject Matter***

Claims 1-5 and 7-11 are allowed.

The following is an examiner's statement of reasons for allowance: Applicant arguments with respect to at least one radiating arms being within a lobe are persuasive. Barfield does not show radiating arms with a lobe.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

Applicant's arguments filed 6/17/05 have been fully considered but they are not persuasive. Applicant argues with respect to the rejection under 112, 2<sup>nd</sup> paragraph that the disclosure provides support for a dimple having a plurality of lobes to have a central

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hub. The examiner disagrees. Applicant has added a new paragraph on page 8, after line 20, in which discussed the dimples having lobes which is concurrent with Figure 7d of the applicant's specification. The specification now clearly sets forth that the term "lobes" implies rounded projections. Figure 7a and 7c do not have rounded projections with arms therein. The applicant has made a rather broad interpretation of the claimed subject matter. The specification sets forth that radiating arms may extend from a center or a hub. The specification does not set forth that the radiating arms may extend within lobes wherein the arms as extend from a hub. The examiner believes that a 112, 2<sup>nd</sup> paragraph rejection under the subject matter may have been a little too harsh, but the specification does not show the subject matter as then claimed in claim 1 and as now claimed in claims 7 and 9-11. For reduction of issues, the 112, 2<sup>nd</sup> paragraph rejection has been removed. Though the 112, 2<sup>nd</sup> rejection has been removed, the applicant does not show the claimed invention as set forth by claims 7 and 9-11. When the instant application was filed, this subject was originally claimed which entitles the applicant support for the claimed subject matter, However, this subject matter was not claimed in the parent application as being such. For this reason, the instant application cannot be considered as a continuation, but as a continuation-in-part.

In reference to the rejection under 35 USC 102, the applicant's arguments are persuasive, Applicant's claimed invention is geared to a dimple having a multiple lobes wherein at least one radiating arm is within (inside) a lobe. Barfield shows arms separating the lobes and not within the lobes. For this reason, the 102 rejection set forth in the previous office action ha been removed.

### ***Conclusion***

This application is in condition for allowance except for the following formal matters:

Drawings do not show a dimple having multiple lobes wherein each lobe has at least one radiating arm within it and wherein the radiating arm extend from a central hub.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin A. Hunter whose telephone number is (571) 272-4411. The examiner can normally be reached on Monday through Friday from 7:30AM to 4:00PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Kim, can be reached on 571-272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AAN

Alvin A. Hunter, Jr.



**EUGENE KIM**  
**PRIMARY EXAMINER**